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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/760,206

01/21/2004

Kia Silverbrook

RRA21US

1340

24011 7590 02/09/2007
SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, 2041
AUSTRALIA

EXAMINER

GARCIA JR, RENE

ART UNIT

PAPER NUMBER

2853

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/760,206	SILVERBROOK, KIA	
	Examiner	Art Unit	
	Rene Garcia, Jr.	2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08 December 2006 has been entered.

Claim Objections

2. Claim 6 is objected to because of the following informalities: "the set off performance" [last line] should be "of". Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 6 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Komplin et al. (US 6,199,977).

Komplin et al. discloses the following claimed limitations:

*regarding claim 6, inkjet printer system (col. 1, lines 31-32) comprising:

*printer having an inkjet printer cradle/cartridge body, 10/ (fig. 2; col. 2, lines 65-67)

having a body defining a recess/cartridge slots; 134, 136, 138, 140/

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*range of cartridges/**ink cartridge, 12/** (fig. 2; col. 2, line 67), each having at least one performance characteristic (ink cartridges/12/ are different inks [cyan, magenta, yellow, black] which themselves exhibit performance characteristic in that printing with one or a combination of more than one lead to producing an image and affect throughput i.e. how the colors interact with each other or are required to be ejected to form specific colors/hues) that differentiates it from others in the range

*the performance characteristics including one or more of:

*print speed; ink types; and ink capacity

*the range including a set of supported cartridges being the only cartridges shaped for reception within the recess/**134, 136, 138, 140/** of the inkjet printer cradle/**10/** (fig. 5; col. 6, lines 42-51), such that the printer performance is adjustable upon replacement of one cartridge from the set of supported cartridges with another cartridge from the set of performance cartridges (performance is directly related to which cartridge(s)/12/ is/are inserted into the cradle, no black cartridge would require a composite black to be formed using three inks of cyan, magenta and yellow)

*regarding claim 4, inkjet printer cartridge/**ink cartridge, 12/** not supported by a particular inkjet printer cradle/**cartridge slots; 134, 136, 138, 140/** is formed with a protrusion, or an indentation,/**keying member, 50/** that interferes with an indentation, or a protrusion, of the particular inkjet printer cradle/**cartridge slots; 134, 136, 138, 140/** upon attempting to insert said cartridge/12/ into said cradle/**cartridge slots; 134, 136, 138, 140/** (fig. 5, col. 6, lines 42-51)

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komplin et al. (US 6,199,977) in view of Waller et al. (US 6,250,738).

Komplin et al. disclose all of the claimed limitation except for the following:

*regarding claim 2, inkjet printer cartridges are of a type having a pagewidth printhead

*regarding claim 3, inkjet printer cartridges are of a type having an internal ink store in fluid communication with the pagewidth printhead

Waller et al. disclose the following:

*regarding claim 2, inkjet printer cartridges are of a type having a pagewidth printhead/**page-wide-array printhead/** (col. 1, line 56) (fig. 1; includes inkjet printhead assembly/12/, ink supply assembly/14/, and mounting assembly/16/) for the purpose of printing one or more lines at a time.

*regarding claim 3, inkjet printer cartridges are of a type having an internal ink store/**reservoir, 15/** in fluid communication with the pagewidth printhead/**page-wide-array printhead/** (col. 4, lines 10-17) for the purpose of printing one or more lines at a time.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize inkjet printer cartridges are of a type having a pagewidth

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printhead; and inkjet printer cartridges are of a type having an internal ink store in fluid communication with the pagewidth printhead as taught by Waller et al. into Komplin et al. for the purpose of printing one or more lines at a time.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Komplin et al. (US 6,199,977) in view of Carrese et al. (US 6,390,615).

Komplin et al. disclose all of the claimed limitation except for the following:

*regarding claim 5, indicia are present on the inkjet printer cartridges and on the inkjet printer cradles to indicate whether a particular inkjet printer cartridge is supported by a particular inkjet printer cradle

Carrese et al. disclose the following:

*regarding claim 5, indicia/**colored indicia**/ are present on the inkjet printer cartridges/**ink tank, 200**/ and on the inkjet printer cradles/**ink tank support structure, 100**/ to indicate whether a particular inkjet printer cartridge/**ink tank, 200**/ is supported by a particular inkjet printer cradle/**ink tank support structure, 100**/ (col. 6, lines 39-54)

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to indicia are present on the inkjet printer cartridges and on the inkjet printer cradles to indicate whether a particular inkjet printer cartridge is supported by a particular inkjet printer cradle as taught by Carrese et al. into Komplin et al. for the purpose of helping the user put an appropriate tank into the correct location.

Response to Arguments

8. Applicant's arguments filed 24 September 2006 have been fully considered but they are not persuasive. Regarding amendments to claim 6, Komplin et al. (US 6,199,977) teaches a


cradle with different a slot for each type/color/ of cartridge usable for the printer therefore providing performance characteristic of ink type ("including one or more of..."). In addition the choice of utilizing all the cartridges slots at the same time or not would factor in to how the printer operates/performance/, for example the formation of black (composite black using CMY or black using K).

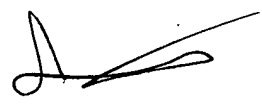
Communication with the USPTO

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rene Garcia, Jr. whose telephone number is (571) 272-5980. The examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Rene Garcia Jr
2/07


STEPHEN MEIER
SUPERVISORY PATENT EXAMINER